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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/826,468

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Peter Linhardt

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EXAMINER

GREENE, JOSEPH L

ART UNIT

PAPER NUMBER

4152

NOTIFICATION DATE

DELIVERY MODE

01/22/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/826,468	Applicant(s) LINHARDT, PETER	
	Examiner JOSEPH L. GREENE	Art Unit 4152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/14/2005, 04/13/2006, 05/05/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 - 21 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1, 4, 9-10, 14, 18-19, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Moore et al. (Patent No. US 7,000,015 B2), hereinafter Moore.**

4. With respect to claim 1, Moore discloses a method for associating computer network identifications with network policies (column 17, lines 4-7), said method comprising the steps of: determining network identifications associated with a client computer (column 13, lines 43-44); associating network identifications with locations (column 13, lines 43-44) and feeding network identification/ locations pairs (column 13, lines 59-67 to column 14, line 1) to a network interface module to implement desired network policies (column 13, lines 28-34).

5. As for claim 4, Moore discloses wherein the step of determining network identifications comprises using a plurality of network detectors to generate a set of netspecs (column 13, lines 28-34, where the NLRSP is the detector).

6. As for claim 9, Moore discloses wherein the step of feeding network identification/location (column 13, lines 59-67 to column 14, line 1) pairs to a network interface module comprises using a policy guide to feed the network identification/location pairs to the network interface module on a real-time basis (column 13, lines 38-42).

7. With respect to claim 10, Moore discloses an apparatus for associating computer network identifications with network policies (column 17, lines 4-7), said apparatus comprising: means for determining network identifications associated with a client computer (column 13, lines 43-44); Coupled to the determining means, means for associating network identifications with locations (column 13, lines 59-67 to column 14, line 1); and coupled to the associating means, means for feeding network identification/location pairs to a network interface module to implement desired network policies (column 13, lines 28-34).

8. As for claim 14, Moore discloses wherein the determining means comprises: a plurality of network detectors coupled to the client computer; and coupled to the network detectors, a network probe adapted to associate network identifications revealed by the

detectors with netspecs (column 13, lines 59-67 to column 14, line 1, these devices are present carrying out the calculations).

9. As for claim 18, Moore discloses wherein the feeding means comprises: a policy guide for associating network identifications with locations (column 13, lines 59-67 to column 14, line 1, where the policy guide is inherent to unique naming); wherein the network interface module implements network policies based upon locations fed to the network interface module by the policy guide (column 13, lines 28-34).

10. As for claim 19, Moore discloses coupled to the network interface module, a user interface adapted to enable a user of the client computer to associate locations with network policies (column 17, lines 4-7, furthermore, it is implicit that if a user is to interface with the device, then there will be some sort of user interface present).

11. With respect to claim 21, Moore discloses At least one computer-readable medium containing computer program instructions for associating computer network identifications with network policies (column 13, lines 28-34, where the API is the computer readable medium), said computer program instructions performing the steps of: determining network identifications associated with a client computer; associating network identifications with locations (column 13, lines 59-67 to column 14, line 1); and feeding network identification/location pairs to a network interface module to implement desired network policies (column 13, lines 28-34).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 2-3, 5-8, 11-13, 15-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of Aaron (Pre-Grant Publication No. US 2004/0268150 A1).

14. As for claim 2, Moore discloses using a network interface module but doesn't disclose it consisting of one of a firewall, a router, a sniffer, and an intrusion detection module, a behavior blocking module, or a network communications module. However, Aaron does teach it consisting of one of a firewall, a router, a sniffer, and an intrusion detection module, a behavior blocking module, or a network communications module (0044, lines 5-7). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the teachings of Moore, to use a firewall module, as taught by Aaron, as firewall technology was available and in common use at the time. Furthermore, utilizing firewall technology would have been sought after to produce a more safe computing environment in a viral computer age.

15. As for claim 3, Moore doesn't teach a user of the client computer adjusts firewall settings to set network policies. However, Aaron does teach a user of the client computer adjusts firewall settings to set network policies (0044, lines 4-7) based upon location (0042, lines 4-11, where the IP address is a location). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the teachings of Moore, to utilize user settings in conjunction with firewalls, as taught by Aaron. At the time, many firewall systems, pop-up blockers, email filters, etc. allowed people to block specific addresses. Furthermore, utilizing firewall technology would have been sought after to produce a more safe computing environment in a viral computer age.

16. As for claim 5, Moore teaches the set of netspecs (column 13, lines 59-57 to column 14, line 1), but Moore doesn't teach wherein the set is prioritized. However, Aaron does teach wherein the set is prioritized (0050, lines 20-23). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the teachings of Moore, to utilize device prioritization, as taught by Aaron. At the time, doing so would have provided more efficiency and customization to the system and ultimately providing a better user experience.

17. As for claim 6, it is rejected on the same basis as claim 5, in addition, Aaron teaches wherein a user of the client computer prioritizes the set of netspecs via a prioritization module (0050, lines 20-23).

18. As for claim 7, Moore teaches wherein the step of associating network identifications with locations comprises using a network probe (column 13, lines 59-67 to column 14, line 1) and the concept of the netspec (column 13, lines 59-67 to column 14, line 1). But Moore doesn't teach doing so in conjunction with databases. However, Aaron does teach such a concept (0040, lines 29-36; 0044, lines 7-10). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the teachings of Moore, to utilize device databases, as taught by Aaron. At the time, doing so would have provided more efficiency to the system and was in common use for data storage.

19. As for claim 8, it is rejected on the same basis as claim 7 above. In addition, Moore teaches wherein a user of the client computer modifies the netspec database via a location setting module (column 14, lines 52-56, The NLRSP modifies the database of netspecs by changing the location names of the netspecs. Furthermore, in the example given, the NLRSP names the location helpingout.org when the client is volunteering at a local agency. The name helpingout.org signifies that the user modifies the database location names because the computer would not know that the human user was volunteering at a local agency unless explicitly told).

20. As for claim 11, Moore discloses using a network interface module but doesn't disclose it consisting of one of a firewall, a router, a sniffer, and an intrusion detection

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module, a behavior blocking module, or a network communications module. However, Aaron does teach it consisting of one of a firewall, a router, a sniffer, and an intrusion detection module, a behavior blocking module, or a network communications module (0044, lines 5-7). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the teachings of Moore, to use a firewall module, as taught by Aaron, as firewall technology was available and in common use at the time. Furthermore, utilizing firewall technology would have been sought after to produce a more safe computing environment in a viral computer age.

21. As for claim 12, Moore doesn't disclose wherein the network interface module is a firewall, and the network policies are implemented on a packet-by-packet basis. However, Aaron does teach wherein the network interface module is a firewall, and the network policies are implemented on a packet-by-packet basis (0040, lines 29-36). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the teachings of Moore, to use a firewall module, as taught by Aaron, as firewall technology was available and in common use at the time. Furthermore, packet transmission is and was the standard form of transmission of networks.

22. As for claim 13, it is rejected on the same basis as claim 12 above. In addition, Aaron teaches wherein locations are correlated with firewall settings on a distributed basis within the firewall (0042, lines 4-11, where the IP address is a location).

23. As for claim 15, it is rejected on the same basis as claim 14. In addition, Aaron teaches a prioritization module adapted to enable a user of the client computer to prioritize netspecs (0050, lines 20-23). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the teachings of Moore, to utilize device prioritization, as taught by Aaron. At the time, doing so would have provided more efficiency and customization to the system and ultimately providing a better user experience.

24. As for claim 16, Moore teaches wherein the associating means comprises: a network probe adapted to produce netspecs corresponding to network identifications (column 13, lines 59-67 to column 14, lines 1). But Moore doesn't teach coupled to the network probe, a netspec database associating netspecs with locations. However, Aaron does teach such a system (0040, lines 29-36; 0044, lines 7-10). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the teachings of Moore, to utilize device databases, as taught by Aaron. At the time, doing so would have provided more efficiency to the system and was in common use for data storage.

25. As for claim 17, it is rejected on the same basis as claim 16 above. In addition, Moore teaches coupled to the netspec database, a location setting module adapted to

enable a user of the client computer to associate locations with netspecs (column 13, lines 59-67 to column 14, lines 1).

26. With respect to claim 20, Moore discloses an apparatus for associating computer network identifications with network policies (column 17, lines 4-7), said apparatus comprising: a plurality of network detectors associated with a client computer; coupled to the network detectors, a network probe adapted to associate each network identification revealed by a network detector with a netspec (column 13, lines 59-67 to column 14, line 1, where the mentioned devices are present in the information gathering); coupled to the network probe, a policy guide for associating network identifications with locations (creating unique names requires that a policy guide is present); and coupled to the policy guide, a network interface module adapted to implement network policies based upon locations fed to the network interface module by the policy guide (column 13, lines 28-34).

But Moore doesn't teach coupled to the network probe, a netspec database associating netspecs with locations. However, Aaron does teach such a concept (0040, lines 29-36; 0044, lines 7-10). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the teachings of Moore, to utilize device databases, as taught by Aaron. At the time, doing so would have provided more efficiency to the system and was in common use for data storage.

Conclusion

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH L. GREENE whose telephone number is (571)270-3730. The examiner can normally be reached on Monday - Thursday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571) 272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JLG

/Nabil El-Hady/
Supervisory Patent Examiner, Art Unit 4152